
MINUTES OF THE CITY COUNCIL, CITY OF CONWAY, ARKANSAS

Conway, Arkansas
Tuesday 6:30 pm
October 23, 2012

On this date the City Council of the City of Conway, Arkansas met in regular session. The following members being a quorum were present and acting: Alderman Hawkins, Alderman Vaught, Alderwoman Mehl, Alderwoman Smith, and Alderwoman Whitmore. Also, present and acting: Mayor Tab Townsell, City Clerk Michael Garrett, and City Attorney Michael Murphy. Alderman Grimes, Alderman Rhodes, and Alderman Jones were not in attendance.

Call to Order: Mayor Tab Townsell

Roll Call: Michael O. Garrett, City Clerk/Treasurer

Minutes: October 9th, 2012 City Council Meeting

Alderwoman Whitmore motioned to adopt the minutes as submitted. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-0.

Announcements/Proclamations/Recognitions: *Employee Service Awards*

5 Years

Donnie Cullum - Parks & Recreation Dept

Louis Grimmert - Sanitation Dept

10 Years

Danny Pannell - Police Dept

1. Report of Standing Committees:

A. Public Hearing

- 1. Public hearing/Ordinance to discuss closing a portion of street right of way located at the west end of Collins Drive in Cresthaven Phase 2 subdivision.**

Mayor Townsell opened the public hearing. Bobby French, Central Arkansas Professional Surveying, representing Fred Langford, was present to answer questions. No one was present to speak to this issue. Mayor Townsell closed the public hearing.

O-12-93

Mayor Townsell read the ordinance for the first time. Alderwoman Smith motioned to hold the ordinance in committee. Alderwoman Whitmore seconded the motion. The motion passed 5-0.

Alderwoman Smith motioned to waive the second and third readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman

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Smith, Alderman Rhodes, Alderman Vaught, Alderman Hawkins, Alderwoman Mehl, and Alderwoman Whitmore. The motion passed 6-0.

B. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)

- 1. Resolutions requesting the Faulkner County Tax Collector place a certified lien against various properties for incurred expenses by the City of Conway.**

R-12-40

Alderman Hawkins stated the property address is 516 South Davis; the cost of cleanup was \$172.54 (\$129.59 + Penalty \$12.95 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

R-12-41

Alderman Hawkins stated the property address is 2745 Glohaven; the cost of cleanup was \$259.71 (\$208.83 + Penalty \$20.88 + filing fee \$30.00). There was no one present to speak to this issue. Alderwoman Smith motioned to adopt the resolution. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

- 2. Consideration of right of way purchase for the Prince Street Improvements for Tract 7 (Holiday Park Partnership) located at the northeast corner of Prince Street & Holiday Drive.**

Ronnie Hall, City Engineer, stated our acquisition consultant determined the cost of acquisition of this parcel is \$17,000.00 for the 1,890 sq ft of land, and \$8,000.00 to replace the existing sign for a total of \$25,000.00. Mr. Hall stated the owner is requesting an additional \$7,453.17 for temporary storage and repair of landscaping and sprinkler system (\$5,179.92) and reconnecting electrical power to relocated sign (\$2,273.25); Mr. Hall requested council increase this offer from \$25,000.00 to \$32,453.17. Alderwoman Smith motioned to approve this purchase. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

- 3. Ordinance to rezone property located at 2630 & 2600 Muskogee Road from C-3 to I-3.**

O-12-94

Alderwoman Smith motioned to hold the ordinance in committee. Alderwoman Whitmore seconded the motion. The motion passed 5-0.

Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderwoman Whitmore motioned to adopt the ordinance. Alderwoman Smith seconded the motion. Kim Tyler, Tyler Surveying and Mapping, representing Mr. & Mrs. Carlton Burnett, was present to answer questions. There was no discussion. The clerk called the roll with the following voting

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“Aye”: Alderwoman Smith, Alderman Rhodes, Alderman Vaught, Alderman Hawkins, Alderwoman Mehl, and Alderwoman Whitmore. The motion passed 6-0.

C. Public Safety Committee (Police, Fire, CEOC, Information Technology, City Attorney, & Animal Welfare)

Alderwoman Smith motioned to hold items C-1 through C-3 in committee. Alderwoman Whitmore seconded the motion. The motion passed 5-0.

1. Ordinance appropriating funds for expenses related to District Court automation.

O-12-95

Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. Lloyd Hartzell, IT Director, was present to answer questions. Alderwoman Smith motioned to adopt the ordinance and the emergency clause. There was no discussion. The clerk called the roll with the following voting “Aye”: Alderwoman Smith, Alderman Rhodes, Alderman Vaught, Alderman Hawkins, Alderwoman Mehl, and Alderwoman Whitmore. The motion passed 6-0.

2. Ordinance appropriating funds & accepting reimbursement/restitution funds from various entities for the Conway Police Department.

O-12-96

A.J. Gary, Chief of Police, stated the “**Secret Service**” line item of \$43.00 should say “**District Court**”. Alderwoman Whitmore motioned to waive the readings of the ordinance. Alderwoman Smith seconded the motion. The motion passed 6-0. Alderwoman Smith motioned to adopt the ordinance. Alderwoman Whitmore seconded the motion. Alderwoman Whitmore stated “**Section 4 totals \$4,364.45, which is \$200.00 less listed in the first Whereas line item #4/Donated Funds - \$4,564.45**”. Dara Tapley, Police Dept., stated it should be \$4,564.45 and it was determined we need to change the amount in “**Section 4 from \$502.62 to \$702.62**”. There was no further discussion. The clerk called the roll with the following voting “Aye”: Alderwoman Smith, Alderman Rhodes, Alderman Vaught, Alderman Hawkins, Alderwoman Mehl, and Alderwoman Whitmore. The motion passed 6-0.

3. Ordinance authorizing funds through pay as you go sales tax for the Conway Police Department for vehicle expenses and two fully equipped motorcycles.

O-12-97

A.J. Gary, Chief of Police, explained council previous approved \$492,382.00 to purchase 10 fully equipped police units but the estimated total cost of these was \$526,831.00. Chief Gary explained the city received a reimbursement of \$60,836.50 from the CNG conversion package for these vehicles and requested council approve using this money toward the purchase of 2 motorcycles. Alderwoman Smith motioned to waive the readings of the ordinance. Alderwoman Whitmore seconded the motion. The motion passed 6-0. Alderwoman Whitmore motioned to adopt the ordinance and the emergency clause.

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Alderwoman Smith seconded the motion. There was no discussion. The clerk called the roll with the following voting "Aye": Alderwoman Smith, Alderman Rhodes, Alderman Vaught, Alderman Hawkins, Alderwoman Mehl, and Alderwoman Whitmore. The motion passed 6-0.

D. Finance

1. Consideration to approve the monthly financials reporting ending September 30, 2012.

Tyler Winningham, CFO, gave a brief synopsis of the September 2012 financials. Alderwoman Smith motioned to approve the September 2012 financials. Alderwoman Whitmore seconded the motion. There was no discussion. The motion passed 5-0.

Old Business

1. Updated on Water Improvement District 10 requests for use of excess funds.

Alderwoman Whitmore stated after holding a meeting on October 1, 2012, she and Alderman Jones recommend using the \$31,687.94 of excess funds for the following projects, and to appropriate an additional \$2,770.06 to cover the entire cost of \$34,458.00.

- Failed section between Collins Dr and Harbell - \$15,328.00
- Storm drainage between Richland Hills Dr and Richland Hills Cove - \$7,130.00
- Improve ditch work along rear lots on North side of Richland Hills Cove - \$ 12,000.00

Alderwoman Smith motioned to approve the funding of these projects. Alderwoman Mehl seconded the motion. There was no discussion. The motion passed 5-0.

New Business

Annual Resolutions for Quorum Court

1. Resolution of a voluntary levy of two-tenths (.2) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a Animal Shelter for the City of Conway.

R-12-42

Alderwoman Smith motioned to adopt the resolution. Alderman Hawkins seconded the motion. There was no discussion. The motion passed 4-1-1 with Mayor Townsell voting in favor of. Alderman Vaught voted in opposition.

2. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Policeman's Pension and Relief Fund.

Alderman Rhodes entered the meeting.

R-12-43

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Alderwoman Whitmore voted to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-1. Alderman Vaught voted in opposition.

- 3. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for a Fireman's Pension and Relief Fund.**

R-12-44

Alderwoman Whitmore voted to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-1. Alderman Vaught voted in opposition.

- 4. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue for the Pension and Relief Fund for paid Non-uniformed employees.**

R-12-45

Alderwoman Whitmore voted to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-1. Alderman Vaught voted in opposition.

- 5. Resolution of a levy of four-tenths (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising special revenue the exclusive purpose of operating and maintaining the cemeteries for the City of Conway.**

R-12-46

Alderwoman Whitmore voted to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-1. Alderman Vaught voted in opposition.

- 6. Resolution of a *voluntary* levy of four-tenth's (.4) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for a recreation assessment raising special revenue for the sole and exclusive purpose of providing additional funds for the purpose of construction, equipping, operating and maintaining the public recreation and playgrounds of City of Conway.**

R-12-47

Alderwoman Whitmore voted to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-1. Alderman Vaught voted in opposition.

- 7. Resolution of a levy of one and nine-tenth's (1.9) mill on the dollar be made upon the assessed valuation of all taxable real estate and personal property tax for raising General Fund Revenues.**

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R-12-48

Alderwoman Whitmore voted to adopt the resolution. Alderwoman Smith seconded the motion. There was no discussion. The motion passed 5-1. Alderman Vaught voted in opposition.

Upon the arrival of Alderman Rhodes council will return to ordinances on the agenda for a vote.

Adjournment

PASSED this 23rd day of October 2012

APPROVED:

Mayor Tab Townsell

City Clerk Michael O. Garrett